

REMARKS

Claims 1-13 and 15-21 remain for consideration. Claim 14 is cancelled without prejudice or disclaimer. Claims 1 and 13 have been amended. The allowability of Claims 6-8, and 14 is acknowledged. All claims are thought to be allowable over the cited art.

Pages 8, 11, and 17 of the specification as originally filed on August 4, 2003, are objected to due to formalities. Applicants checked their file copy of the application and find it to be aligned correctly. Applicants also checked the copy of the patent application on the PAIR system and found that scanned pages 8, 11, and 17 were not aligned correctly. Therefore, Applicants believe the misalignment to be a scanning issue and, as instructed by the examiner, have not included a copy of these pages.

The office action fails to establish that claims 1-3, 5, 13, 15, 16, and 20-21 are anticipated under 35 U.S.C. 102(b) by U.S. Patent No. 5,835,045 to Ogawa et al (hereinafter "Ogawa"). However, Applicant has amended claims 1 and 13 in order to advance prosecution in accordance with the Office Action's indication of allowable subject matter in paragraph 6. In particular, Applicant's claim 1 is amended to set forth at least that "capacitive plates form the input lead, the control lead, and the output lead of each SCC structure." Similarly, Applicant's claim 13 is amended to set forth at least that "each of the SCC structures includes a first capacitor and a second capacitor, the first and second capacitors being connected together in series."

To anticipate a claim, the asserted reference must teach all the limitations of the claimed invention. Ogawa, however, is not shown to teach the use of capacitive plates to form the input, output, and control leads of its switching structure. Instead, Ogawa seems to teach the use of a transmission gate, where transistors 401 and 402 are used as a signal transfer switch to couple node 407 to node (b) through a single capacitor 410-1. (See column 11, lines 27-48, along with FIG. 9). The instant application recognizes that such an implementation may result in undesirable leakage current as described in the background information of paragraph [0006]. Applicant respectfully submits, therefore, that claims 1 and 13 patentably distinguish over Ogawa and are in condition for allowance.

In regard to claim 20, the first step in construing a means-plus-function claim limitation is to define the particular function of the claim limitation. The next step in construing a means-plus-function claim limitation is to look to the specification and identify the corresponding structure for that function. If the specification associates that structure to the function recited in the claim, then the Examiner should interpret the claimed limitations as corresponding to that structure. (See M.P.E.P. § 2182).

Thus, a "means for capacitively coupling a selected one of the plurality of data input leads to an intermediate node" should be construed as invoking the structure as exemplified in FIGs. 5, 8, 9, and all equivalents thereof. For example, series connected capacitors, e.g., 127 and 128, of series capacitor coupling structure, e.g., 123, share a common center plate at node, e.g., N9, which is either energized with a DC potential to de-couple interconnect N1 from interconnect N10, or node N9 is allowed to float, which capacitively couples interconnect N1 to interconnect N10. (See FIG. 5 and paragraphs [0029]-[0031] of the instant application). As discussed above, Ogawa fails to teach such a structure and instead uses transmission gates to couple node 407 to node (b). Thus, Applicant respectfully submits that claim 20 is in condition for allowance.

Dependent Claims 2-3, 5, 15-16, and 21, which are dependent from independent claims 1, 13, and 20, respectively, are also rejected under 35 U.S.C. §102(b) as being unpatentable over Ogawa. While Applicant does not acquiesce to the particular rejections to these dependent claims, it is understood that these rejections are now moot in view of the amendments and remarks made in connection with independent claims 1, 13, and 20. These dependent claims include all of the limitations of the base claims and any intervening claims, and recite additional features which further distinguish these claims from the cited references. Therefore, dependent claims 2-3, 5, 15-16, and 21 are also in condition for allowance.

The office action fails to establish that claims 1-5, 11-13, 15-16, and 19-21 are anticipated under 35 U.S.C. 102(b) by U.S. Patent No. 5,410,192 to Yamada. However, Applicant has amended claims 1 and 13 in order to advance prosecution in accordance with the Office Action's indication of allowable subject matter in paragraph 6 as discussed above.

Similar to Ogawa, Yamada is not shown to teach the use of capacitive plates to form the input, output, and control leads of its switching structure. According to the Office Action, Yamada is shown to teach the use of a series connection of three transistors, 105a1-105a3, to couple node Va to node N3. Further, only a single capacitor 105Qc is shown to be taught by Yamada to be coupled from node N3 to ground, which precludes the use of capacitor 105Qc to capacitively couple node Va to node N3, since capacitor 105Qc seemingly couples node Va to ground instead. Applicant respectfully submits, therefore, that claims 1 and 13 patentably distinguish over Yamada and are in condition for allowance. Further with regard to claim 20, Yamada fails to teach that nodes Va and N3 are coupled through the use of structures such as exemplified in the instant application by FIGs. 5, 8, 9, and their equivalents, as discussed above. Accordingly, Applicant submits that claim 20 patentably distinguishes over Yamada and is in condition for allowance.

Dependent Claims 2-5, 11-12, 15-16, 19, and 21, which are dependent from independent claims 1, 13, and 20, respectively, are also rejected under 35 U.S.C. §102(b) as being unpatentable over Yamada. While Applicant does not acquiesce to the particular rejections to these dependent claims, it is understood that these rejections are now moot in view of the amendments and remarks made in connection with independent claims 1, 13, and 20. These dependent claims include all of the limitations of the base claims and any intervening claims, and recite additional features which further distinguish these claims from the cited references. Therefore, dependent claims 2-5, 11-12, 15-16, 19, and 21 are also in condition for allowance.

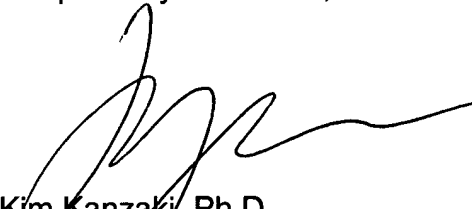
The office action fails to establish that claims 9-10 and 17-18 are unpatentable over Ogawa and Yamada under 35 U.S.C. 103(a). However, Applicant has amended claims 1 and 13 in order to advance prosecution in accordance with the Office Action's indication of allowable subject matter in paragraph 6 as discussed above. Applicant respectfully submits that claims 1 and 13 patentably distinguish over Ogawa and Yamada and are in condition for allowance. Claims 9-10 and 17-18 depend from claims 1 and 13, thus claims 9-10 and 17-18 include all of the limitations of claims 1 and 13 and any intervening claims, and recite additional features which further distinguish these claims from the cited references. Applicant submits, therefore, that

claims 9-10 and 17-18 are also patentable over Ogawa and Yamada and are in condition for allowance.

CONCLUSION

Reconsideration and a notice of allowance are respectfully requested in view of the Amendments and Remarks presented above. If the Examiner has any questions or concerns, a telephone call to the undersigned is invited.

Respectfully submitted,



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I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on November 8, 2005.

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